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003/006

JUL 03 2008

Application No.: 10/700,785

Docket No.: JCLA11670-R

REMARKS

In the Office action dated April 3, 2008, claims 1-5 and 7-18 are rejected under 35 U.S.C. Section 112, first paragraph, as assertedly failing to comply with the written description requirement. In addition, same claims are rejected under 35 U.S.C. Section 101 because the claimed invention is allegedly not supported by a specific or substantial asserted utility or a well established utility. Specifically, the Office has indicated in the outstanding action that the element 328 of FIG. 3 does not support for the amendment to paragraph [0026] and claims 1 and 8, specifically with regard to the feature of **"the signal-transforming module is accommodated in the cavity"**.

To clarify the aforesaid rejections and to accelerate early agreement on allowable claims, the power of attorney of record arranged a telephonic interview with the Examiner, and the courtesy extended to the power of attorney of record during the telephonic interview of June 11, 2008 was greatly appreciated. During the interview, several issues were discussed and summarized below.

Telephonic Interview

The substance of the interview dated June 11, 2008 is made of record as below.

According to the agreement reached by the Examiner and the power of attorney of record, the amendments made in the previous response are basically acceptable and that the amended claims are allowable, while a submission of a response specifically pointing out the support for each of the amendments previously made is requested, so as to set a clear record that no new matters are introduced by way of the amendments. Based on the above, Applicant respectfully

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identifies the written support of the previous amendments submitted on March 3, 2008 that comprise the amendment to paragraph [0026] of the specification and the amendments to claims 1 and 8.

An applicant may show possession of an invention by disclosure of drawings or structural chemical formulas that are sufficiently detailed to show that applicant was in possession of the claimed invention as a whole. See, e.g., *Vas-Cath*, 935 F.2d at 1565, 19 USPQ2d at 1118 ("drawings alone may provide a 'written description' of an invention as required by Sec. 112*"); *In re Wolfensperger*, 302 F.2d 950, 133 USPQ 537 (CCPA 1962) (the drawings of applicant's specification provided sufficient written descriptive support for the claim limitation at issue).

The previous amendment to paragraph [0026] is provided below.

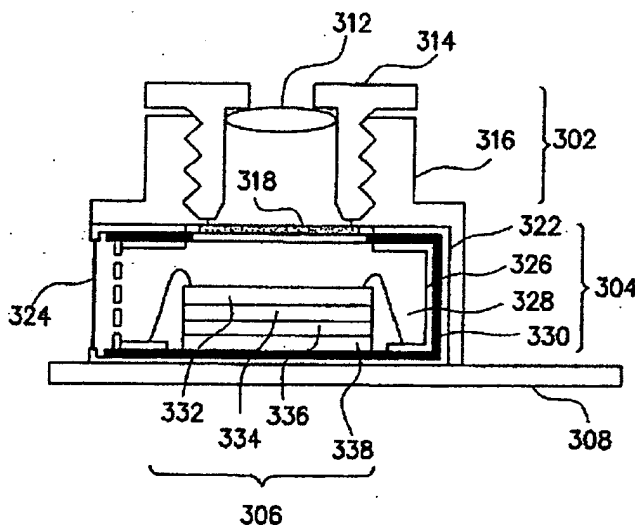
[0026] As shown in FIG. 3, an image sensor and a condenser microphone are integrated together to form an integrated audio/video sensor. The integrated audio/video sensor comprises an image-receiving module 302, a sound-receiving module 304 with a cavity 328, a signal-transforming module 306 and a substrate 308. The signal-transforming module 306 and the sound-receiving module 304 are disposed on the substrate 308, and the signal-transforming module 306 is accommodated in the cavity 328. The image-receiving module 302 is disposed on the sound-receiving module 304. The image-receiving module 302 further comprises a lens 312 on a lens mount 314, a holder 316 and an infrared filter plate 318. The

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sound-receiving module 304 further comprises an outer cavity casing 322 with a membrane 324 thereon, a fixed inner cavity casing 326 and an electrical insulator 330 between the outer cavity casing 322 and the fixed inner cavity casing 326. The signal-transforming module 306 further comprises an image-sensing chip 332, an audio/video processor chip 334, an audio amplifier chip 336 and a peripheral circuit chip 338.

As illustrated in FIG. 3 of the instant application, the signal-transforming module 306 is evidently accommodated in the cavity 328 of the sound-receiving module 304.



In accordance with MPEP 2163.06, the information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part

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of the application without introducing new matter. As such, Applicant respectfully submits the amendment to the specification is fully supported by the as-filed FIG 3, and therefore no new matter issue is raised by way of the amendment.

Likewise, the same amendments were made to claims 1 and 8 at issue. Since possession may be shown by a clear depiction of the invention in detailed drawings, it is respectfully submitted there is sufficient written description to inform a skilled artisan that Applicant was in possession of the claimed invention as a whole at the time the application was filed.

The rejections under 35 U.S.C. Sections 112, first paragraph and 101 should therefore be withdrawn in view of the above reasoning and the agreement reached in the telephonic interview.

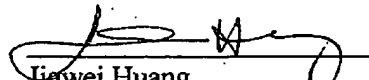
CONCLUSION

If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application or resolve any outstanding issues, the Examiner is cordially invited to telephone the undersigned counsel to arrange for such a conference.

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Respectfully submitted,
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